

WRITTEN OPINION

OF THE INTERNATIONAL SEARCHING AUTHORITY

(SUPPLEMENTARY SHEET)

International File No. PCT/DE2004/001599

Re Item V.

VI. Documents regarding the related art

Reference is made to the following documents in the present opinion:

- D1: DE 195 04 353 A (Tokai Rika Co Ltd), September 7, 1995 (09-07-1995)
- D2: DE 101 06 311 A (Siemens AG), August 22, 2002 (08-22-2002)
- D3: DE 199 11 483 A (Koito Mfg Co Ltd), September 16, 1999 (09-16-1999)
- D4: DE 100 62 427 A (Conti Temic Microelectronic), July 4, 2002 (07-04-2002)

V.2 Claims 1 through 13

1 Claim 1, novelty

Document D1 is regarded as the most proximate related art with respect to the object of Claim 1. The cited document (the references in parentheses relate to this document; see Figures 1 and 3) discloses a restraint system for vehicle occupants, including restraining means (24), a control unit (20) for controlling the restraining means (24), and at least one pressure sensor (14) situated in a peripheral region (100) of a vehicle.

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The object of Claim 1 therefore differs from the known restraint system in that the restraint system includes a position sensor for measuring the position of at least one movable part of the vehicle, it being possible to combine the output signal from the position sensor with the output signal from the pressure sensor.

The object of Claim 1 is therefore novel (Article 33(2), PCT).

2. Claim 1, inventive step

The object to be achieved by the present invention may therefore be regarded as the reliable recognition of a side impact.

The approach proposed in Claim 1 of the present application to achieve this object is based on an inventive step for the following reasons (Article 33(3), PCT):

Although the feature

- of a position sensor for measuring the position of at least one movable part of the vehicle from Document D2 (paragraph [0030])

is known, at least as such, from the related art, the approach according to the features of Claim 1 as a whole does not appear to be either known from the related art or made obvious by same.

Hence, a reliable recognition of a side impact results from combining the output signal from the pressure sensor with the output signal from the position sensor for controlling the restraining means.

3 Dependent Claims 2 through 12

Claims 2 through 12 are dependent on Claim 1, and therefore likewise meet the requirements of the PCT with regard to novelty and inventive step as defined by Article 33(2) and (3), PCT.

4 Claim 13, based on a method

Claim 13, which is based on a method for operating a restraint system as recited in one of Claims 1 through 12, by virtue of these claims necessarily likewise meets the requirements of Article 33(2) and (3), PCT.

5 Industrial applicability

The object of Claims 1 through 13 also appears to meet the requirements of Article 33(4), PCT, since it appears to be possible to manufacture or implement and also use the object at least in the field of automotive engineering.

Re Item VII.

1 In the description

Document D1 is not mentioned in the description, nor is the relevant related art contained therein outlined even in brief; therefore, the requirements of Rule 5.1 a) ii), PCT are not met.

2. In the application as a whole

The application should be revised with regard to consistent terminology and consistent use of reference numerals (according to Rule 10.2, PCT).

Re Item VIII.

1. Clarity, conciseness, and substantiation by the description

The expressions "peripheral region (door 2)" and "a movable part (window pane 2.1)" used in Claim 1, and the expressions "(learning phase)," "a movable part (window pane 2.1)," and "(normal operation)" used in Claim 13 are vague and unclear, and do not inform the reader of the meaning of the corresponding technical features.

Consequently, the definition of the object of these claims is not clear (Article 6, PCT).

**Field No. IV Wording of the Abstract (continued from Item 5
on Page 1)**

A restraint system (1) for vehicle occupants includes restraining means (14), a control unit (13) for controlling the restraining means (14), and at least one pressure sensor (11) situated in a peripheral region (2) of a vehicle. The restraint system (1) also includes at least one position sensor (10) for measuring the position Pos of at least one movable part (2.1) of the vehicle. The output signal from the position sensor (10) may be combined with the output signal from the pressure sensor (11).